

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROCHELLE GLASGOW, et al.,

Plaintiffs,

vs.

DANIEL J. BEERS, et al.,

Defendants.

CASE NO. 5:21-CV-02001-JRA

JUDGE JOHN R. ADAMS

**DEFENDANTS GOSPEL LIGHT
MENNONITE CHURCH MEDICAL
AID PLAN, INC. D/B/A LIBERTY
HEALTHSHARE, DRUZILLA J. ABEL,
AND DALE E. BELLIS' MOTION TO
DISMISS**

Pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendants, Gospel Light Mennonite Church Medical Aid Plan, Inc. d/b/a Liberty HealthShare (“Liberty HealthShare”), Druzilla J. Abel (“Abel”), and Dale E. Bellis (“Dale Bellis”), (collectively, “Liberty Defendants”), through counsel, respectfully move this Court to dismiss Plaintiffs’ Complaint in light of a prior settlement agreement between the Ohio Attorney General, acting in his *parens patriae* capacity on behalf of current and former members of Liberty HealthShare, and the Liberty Defendants. Because this settlement agreement resolved the claims set forth in Plaintiffs’ Complaint, there is no actual case or controversy before the Court, and the Court therefore lacks subject matter jurisdiction. Alternatively, Plaintiffs’ claims are barred by res judicata based on the prior settlement agreement.

The bases for this Motion are fully set forth in the Memorandum in Support, which is being filed concurrently with this Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing *Defendants Gospel Light Mennonite Church Medical Aid Plan, Inc. d/b/a Liberty Healthshare, Druzilla J. Abel, and Dale E. Bellis' Motion to Dismiss* was electronically filed with the Court and served upon the parties by means of the CM/ECF system.

/s/ Rachael L. Russo

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